IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.265 OF 2005
IN
SUMMARY SUIT NO.2242 OF 2004

Jyotindra Shah ..Plaintiff.
Vs.
Jayesh B. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.266 OF 2005
IN
SUMMARY SUIT NO.2243 OF 2004

Nina J. Shah ..Plaintiff.
Vs.
Jayesh B. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.267 OF 2005
IN
SUMMARY SUIT NO.2241 OF 2004

Jyotindra Shah ..Plaintiff.
Vs.
Jayesh B. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.284 OF 2005
IN
SUMMARY SUIT NO.2126 OF 2004

Manan Shah ..Plaintiff.
Vs.
Jayesh B. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.285 OF 2005

IN
SUMMARY SUIT NO.2124 OF 2004

Jyotindra Shah ..Plaintiff.
Vs.
Bhawanji P. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.293 OF 2005
IN
SUMMARY SUIT NO.2485 OF 2004

Rachit Shah, a minor through
his father and natural guardian
Jyotindra V. Shah ..Plaintiff.

Vs.

Jayesh B. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.294 OF 2005
IN
SUMMARY SUIT NO.2125 OF 2004

Jyotindra Shah ..Plaintiff.
Vs.
Jayesh B. Nagda ..Defendant.

ALONGWITH

SUMMONS FOR JUDGMENT NO.295 OF 2005
IN
SUMMARY SUIT NO.2185 OF 2004

Rajbai Bhimshi Shah ..Plaintiff.
Vs.
M/s.Rose Impex & Anr. ..Defendants.

Ms.Rekha Shinde, Advocate for the Plaintiffs in all the matters.

Mr.Kadam i/b. M/s.Kadam & Co. for the Defendants

in all the matters.

CORAM : S.J. VAZIFDAR, J.
DATED : 1ST DECEMBER, 2005

P.C. :

By consent, Suit No.2493 of 2004 and Suit No.2244 of 2004 are taken on board and called out for hearing.

2. The learned counsel for all the parties state on instructions from their respective clients, that their clients have agreed to refer all the disputes and differences in the above suits as well as set-of or counter-claim, if any, therein, to the sole arbitration of Ms.Rajani Iyer, an Advocate of this Court. It is further agreed that the arbitrator shall have summary powers. It is further agreed that the arbitrator shall be entitled to make a common award or separate award as the arbitrator may deem fit.

3. It is agreed that the statement made on behalf of the Defendants as recorded in the order dated 24.3.2005 shall continue pending the arbitration proceedings.

4. It is agreed that the Defendants shall in the

first instance, pay the entire fees of the arbitrator. The same shall however be subject to the final award.

5. The disputes and differences are accordingly referred to the sole arbitration of Ms.Rajani Iyer. The suits are accordingly disposed of.

Refund as per rules.

For the purpose of refund, all parties including Prothonotary and Senior Master to act on an authenticated copy of this order.